

From: Duane C. Mallory
To: Microsoft ATR
Date: 12/11/01 6:40am
Subject: Microsoft Settlement

To whom this may concern:

I read with some interest the deal worked out between the Government and Microsoft: I must say that I really can not believe the outcome. The government, by winning the case against Microsoft, is in a position to be sure that justice is served. From everything that I have read, and believe I understand, the following is what I think of the current settlement.

- 1) Microsoft has been found guilty of Anti-trust violations.
- 2) Microsoft, under the current settlement, is not only let off the hook, but is in a stronger position than ever before in that they can decide what constitutes action required on their part.
- 3) Open source software, such as Linux, Apache, SendMail, and SAMBA, are going to be damaged by this settlement as Microsoft will argue that they are NOT a Commercial / Business entity in the true sense - they are Not-for Profit entities. This basically means that any access to API's, code, or other areas that could benefit these companies in an effort to compete fairly will not be available to them.
- 4) There is absolutely NO MONETARY FINE imposed on the company for their crimes!

All in all I would say that the settlement is laughable. Unfortunately, I believe there are quite a number of companies and organizations who will not be laughing if this settlement is allowed to go through as is. It is sad to think that, in a great country such as ours, perhaps crime does pay after all.

Best Regards,

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